



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/784,492	02/23/2004	Kyle Marvin	ORACL-01445US1	2152

80548

7590

09/12/2008

Fliesler Meyer LLP

650 California Street

14th Floor

San Francisco, CA 94108

EXAMINER

ART UNIT

PAPER NUMBER

DATE MAILED: 09/12/2008

Please find below and/or attached an Office communication concerning this application or proceeding.

DETAILED ACTION

1. The reply filed on June 25, 2008, is not fully responsive to the prior Office Action because of the following omission(s) or matter(s):

(1) **Information Disclosure Statement.** Applicant has not submitted a new Information Disclosure Statement corresponding to the resubmitted information. Accordingly, this information has not been considered. Further, applicant appears to have ignored the reasons for objection specified in item 3 on p. 2 of the previous Office action (*i.e.*, relevant pages of the publication must be specified).

(2) **Objection to Abstract.** In the previous Office action, the examiner maintained the objection to the Abstract and suggested deleting the last two sentences (relative to the version of the previously amended version of September 7, 2007). Applicant has merely resubmitted the September 7, 2007, copy of the amended Abstract without further amendment and improperly containing artifacts of the previous amendment. See the attached Notice of Non-Compliant Amendment.

(3) **The Rejection under 35 U.S.C. § 101.** Applicant has failed to address the specific assertions in the rejection of claims, *i.e.*, claims 1-13, 15-18, and 45 as setting forth systems comprising claim language that appears to make all of the functional steps optional and claims 19-27, 29-39, 41, 42, 46, and 47 as being directed to merely abstract ideas.

(4) **Claims 45-47.** Applicant has failed to specifically point out how the language of claims 45-47 patentably distinguishes them from the references. The examiner disagrees with applicant's assertion that these claims are "similarly amended," as compared to the amendment of claim 1. (Remarks 14.)

See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Conclusion

2. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Eric B. Kiss whose telephone number is (571) 272-3699. The Examiner can normally be reached on Tue. - Fri., 7:00 am - 4:30 pm. The Examiner can also be reached on alternate Mondays.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Tuan Dam, can be reached on (571) 272-3695. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Eric B. Kiss/
Eric B. Kiss
Primary Examiner, Art Unit 2192